

ISO 9002 Control #SH-80 FEDERAL REGISTER UPDATE

This Federal Register Update provides information on regulatory initiatives of interest to the DRMS Environmental Program that have been published in the FEDERAL REGISTER. It is provided for the benefit of those DRMS employees who are involved in the DRMS environmental Program to inform them of regulatory developments.

If a FEDERAL REGISTER has a regulatory action that affects or could affect the DRMS Environmental Program, a summary of the intent of the regulation will be provided in this update. It will also provide the volume, number, and date of the FEDERAL REGISTER for reference. Any regulatory change that will have a significant impact on DRMS policy, procedures, or guidance will also be addressed in more detail under separate correspondence.

Any questions or comments about any aspects of the Federal Register Update should be directed to Mr. Jay Plucinski, DRMS-SHP, (DSN) 932-5912.

<u>VOL</u>	<u>NO</u>	<u>DATE</u>	<u>ARTICLE OF INTEREST</u>
63	100	26 May 98	LAND DISPOSAL RESTRICTIONS PHASE IV: FINAL RULE PROMULGATING TREATMENT STANDARDS FOR METAL WASTES AND MINERAL PROCESSING WASTES; MINERAL PROCESSING SECONDARY MATERIALS AND BEVILL EXCLUSION ISSUES; TREATMENT STANDARDS FOR HAZARDOUS SOILS, AND EXCLUSION OF RECYCLED WOOD PRESERVING WASTEWATERS; EPA; ACTION: Final Rule; EFFECTIVE DATE: August 24, 1998. This rule promulgates Land Disposal Restrictions treatment standards for metal-bearing wastes, including toxicity characteristic metal wastes, and hazardous wastes from mineral processing. This rule also revises the universal treatment standards for twelve metal constituents, which means that listed and characteristic wastes containing one or more of these constituents may have to meet different standards than they currently do. EPA is amending the rules to define which secondary materials from mineral processing are considered to be wastes and potentially subject to Land Disposal Restrictions. The intended effect is to encourage safe recycling of mineral processing secondary materials by reducing regulatory obstacles to recycling, while ensuring that hazardous wastes are properly treated and disposed. EPA is also finalizing decisions on a set of mineral processing issues wastes which courts have been remanded to EPA. These include retaining the Toxicity Characteristic Leaching Procedure as the test for identifying the toxicity characteristic for mineral processing waste, and readdressing the regulatory status of a number of miscellaneous mineral processing wastes. This rule also amends the LDR treatment standards for soil contaminated with hazardous waste. The

purpose of this revision is to create standard which are more technically and environmentally appropriate to contaminated soils than those which currently apply. Finally, this rule excludes from the definition of solid waste certain shredded circuit boards in recycling operation, as well as certain materials reused in wood preserving operations.

63	99	22 May 98	n/a
63	98	21 May 98	n/a
63	97	20 May 98	n/a
63	96	19 May 98	n/a
63	95	18 May 98	n/a
63	94	15 May 98	PROTECTION OF STRATOSPHERIC OZONE; METHYL BROMIDE; EPA, ACTION: Notice of Clarification; EFFECTIVE DATE: May 15, 1998. This document clarifies a previous statement by EPA about the applicability of a Clean Air Act labeling rule to methyl bromide as a "class I ozone-depleting substance." The labeling rule requires products "containing" or "manufactured with" a class I ozone-depleting substance to be labeled as such. This document makes clear that any product, including any agricultural product, that "contains" or is "manufactured with" methyl bromide is subject to the labeling rule's requirements. At the same time, EPA is not aware of any agricultural product that "contains" or is "manufactured with" methyl bromide, as those terms are defined by the labeling rule. In particular, raw food commodities grown for the fresh food market and produced with the use of methyl bromide do not meet the definitions of products "containing" or "manufactured with" methyl bromide and are thus not subject to the labeling rule's requirements.
63	93	14 May 98	n/a
63	92	13 May 98	n/a
63	91	12 May 98	n/a
63	90	11 May 98	n/a
63	89	8 May 98	NOTICE OF INTENT TO REFORM IMPLEMENTATION OF RCRA-RELATED METHODS AND MONITORING AND NOTICE OF AVAILABILITY FOR DRAFT UPDATE IVA OF SW-846; EPA; ACTION: Notice of Intent and request for comment; EFFECTIVE DATE: Written comments must be submitted by June 22, 1998. The EPA is providing notice of, and invites comment on, its intent to reform

implementation of RCRA-related monitoring by formally adopting a performance-based measurement system (PBMS), by improving public outreach and communication, and by improving availability and distribution of the EPA-approved test methods manual "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", EPA Publication SW-846. Implementation of PBMS will include a proposal to change certain RCRA regulations so that the exclusive use of SW-846 methods will no longer be required.

63	88	7 May 98	n/a
63	87	6 May 98	<p>HAZARDOUS WASTE MANAGEMENT SYSTEM; IDENTIFICATION AND LISTING OF HAZARDOUS WASTE; RECYCLED USED OIL MANAGEMENT STANDARDS;; EPA; ACTION: Direct Final Rule; EFFECTIVE DATE: July 6, 1998. This direct final rule eliminates errors and clarifies ambiguities in the used oil management standards. Specifically, this rule clarifies when used oil contaminated with PCBs is regulated under the used oil management standards and when it is not, that the requirements applicable to releases of used oil apply in States that are not authorized for the RCRA base program, that mixtures of conditionally exempt small quantity generator wastes and used oil are subject to the used oil management standards irrespective of how that mixture is to be recycled, and that the initial marketer of used oil that meets the used oil fuel specification need only keep a record of a shipment of used oil to the facility to which the initial market delivers the used oil. Today's rule also amends three incorrect references to the pre-1992 used oil specifications in the provisions which address hazardous waste fuel produced from, or oil reclaimed from petroleum refining operations.</p>
63	86	5 May 98	<p>FINAL EPA SUPPLEMENTAL ENVIRONMENTAL PROJECTS POLICY ISSUED; EPA; ACTION: Notice; EFFECTIVE DATE: May 1, 1998. The EPA is issuing a reviewed, final <i>EPA Supplemental Environmental Projects Policy</i>. Based on experience gained implementing the Interim Revised SEP Policy, EPA has refined and clarified this Policy to better assist it in exercising its enforcement discretion to establish appropriate settlement penalties and supplemental environmental project (SEPs) that secure significant environmental and public health improvements.</p>
63	85	4 May 98	<p>ORGANOCHLORINE PRODUCTION WASTES; IDENTIFICATION AND LISTING OF HAZARDOUS WASTE; LAND DISPOSAL RESTRICTIONS; LISTING OF CERCLA HAZARDOUS SUBSTANCES, REPORTABLE QUANTITIES; EPA; ACTION: Final Rule; EFFECTIVE DATE: November 4, 1998. The EPA is adding two new hazardous waste codes to its current lists of hazardous waste found in 40 CFR part 261. One</p>

waste type to be added and designated by the hazardous waste code K140 is floor sweepings, off-specification product and spent filter media from the production of 2,4,6-tribromophenol. The second waste is 2,4,6-tribromophenol and is being added both to the list of commercial chemical products, designated by the hazardous waste code U408 and to the list of hazardous constituents in Appendix VIII of 40 CFR part 261. EPA is also modifying the land disposal treatment standards for hazardous waste in 40 CFR part 268 by adding these new wastes.

63	84	1 May 98	n/a
63	83	30 Apr 98	n/a
63	82	29 Apr 98	n/a
63	81	28 Apr 98	n/a
63	80	27 Apr 98	n/a
63	79	24 Apr 98	n/a
63	78	23 Apr 98	REQUEST FOR COMMENT ON PROPOSED STATEMENT OF POLICY REGARDING SPENT ANTIFREEZE; EPA; ACTION: Request for Comment; EFFECTIVE DATE: Comments are due by June 22, 1998. EPA is currently considering issuing a statement announcing that data available to the Agency indicates that spent antifreeze rarely fails the TCLP test. The TCLP is used for determining whether or not a secondary material that is a solid waste is subject to regulation as a hazardous waste by virtue of exhibiting a "toxicity characteristic". The purpose of such a statement and any supporting information would be to assist generators in determining whether their spent antifreeze exhibits a hazardous waste characteristic. In today's notice, EPA is providing the data and qualitative information that we would use to support such a finding.
63	77	22 Apr 98	DELETION OF CERTAIN CHEMICALS; TOXIC CHEMICAL RELEASE REPORTING; COMMUNITY RIGHT-TO-KNOW; EPA; ACTION: Final Rule; EFFECTIVE DATE: April 22, 1998. EPA is amending its regulations to delete chlorosilanes, DMP, and Bronopol from the list of chemical subject to reporting under section 313 of the Emergency Planning and Community Right-to-Know Act and of the Pollution Prevention Act. This action is being taken to comply with a January 12, 1998 order from the US District Court for the District of Columbia. Because this action is being taken to conform the regulations to the court's order, notice and comment are not required, and this rule is effective immediately.
63	76	21 Apr 98	n/a

63	75	20 Apr 98	n/a
63	74	17 Apr 98	n/a
63	73	16 Apr 98	n/a
63	72	15 Apr 98	n/a
63	71	14 Apr 98	n/a
63	70	13 Apr 98	n/a
63	69	10 Apr 98	n/a
63	68	9 Apr 98	<p>EXTENSION OF THE POLICY ON ENFORCEMENT OF RCRA SECTION 3004(j) STORAGE PROHIBITION AT FACILITIES GENERATING MIXED RADIOACTIVE/HAZARDOUS WASTE; EPA; ACTION: Notice; policy statement; EFFECTIVE DATE: April 21, 1998. EPA is announcing an interim extension of its policy on the civil enforcement of the storage prohibition in section 3004(j) of RCRA at facilities that generate "mixed waste". RCRA defines "mixed waste" as waste that contains both hazardous waste and source, special nuclear, or by-product material subject to the Atomic Energy Act. Thus, "mixed waste" is regulated under both the RCRA subtitle C hazardous waste program and the AEA. This action extends the April 1996 policy until October 31, 1998. The policy affects only mixed wastes that are prohibited from land disposal under the RCRA land disposal restrictions and for which there are no available options for treatment or disposal. EPA has been recently gathering information to determine whether long-term extension of the policy remains appropriate.</p>
63	67	8 Apr 98	n/a
63	66	7 Apr 98	n/a
63	65	6 Apr 98	n/a
63	64	3 Apr 98	n/a
63	63	2 Apr 98	n/a
63	62	1 Apr 98	<p>IMPROVEMENTS TO HAZARDOUS MATERIALS IDENTIFICATION SYSTEMS; EDITORIAL REVISIONS AND RESPONSE TO PETITIONS FOR RECONSIDERATION AND APPEAL; DOT; RSPA; ACTION: Final Rule; EFFECTIVE DATE: October 1, 1998. In this final rule, RSPA is making changes to a final rule published on January 8, 1997, and modified in a July 22, 1997 final rule, which amended the Hazardous Materials</p>

Regulations to better identify hazardous materials in transportation. The primary changes include: clarifying requirements for display of identification numbers for large quantity shipments of hazardous materials; revising requirements for display of identification numbers for non-bulk packages of hazardous materials that are poisonous by inhalation in Hazard Zone A or B; and providing the carrier's telephone number on the exterior of a highway transport vehicle containing hazardous materials that is disconnected from its motive power and not marked with an identification number. Other minor technical and editorial changes are also made. In making improvements to the hazardous materials identification systems in the HMR, RSPA intends to improve safety for transportation workers, emergency responders, and the public.

63	61	31 Mar 98	<p>RECOMMENDATIONS ON UNIFORM FORMS AND PROCEDURES FOR THE TRANSPORTATION OF HAZARDOUS MATERIALS; DOT; FHWA; ACTION: Supplemental Notice of Report Availability; EFFECTIVE DATE: Written comments must be received on or before June 29, 1998. The FHWA is requesting public comment on the final report and recommendations of the Alliance for Uniform HazMat Transportation Procedures (The Alliance) concerning the implementation of a portion of the former Hazardous Materials Transportation Uniform Safety Act of 1990. The statute requires the Secretary of Transportation to establish a working group of State and local government officials to establish uniform forms and procedures for the registration of persons that transport hazardous materials by motor vehicle. The working group is required to make recommendations to the Secretary on whether to limit the filing of State registration and permit forms and the collection of filing fees to the State in which the person resides or has its principal place of business. The Alliance is the working group created to fulfill the requirements of the statute, and accordingly, published its final report with recommendations on March 15, 1996. On July 9, 1996, the FHWA published a notice indicating that the Alliance's report was available and requesting public comments on the report. After reviewing the comments received in response to the notice of availability, the FHWA has determined that it should seek additional public comment before the agency makes a decision on whether to implement the recommendations of the Alliance.</p>
63	60	30 Mar 98	n/a
63	59	27 Mar 98	n/a
63	58	26 Mar 98	n/a
63	57	25 Mar 98	n/a

63	56	24 Mar 98	n/a
63	55	23 Mar 98	n/a
63	54	20 Mar 98	n/a
63	53	19 Mar 98	n/a
63	52	18 Mar 98	n/a
63	51	17 Mar 98	n/a
63	50	16 Mar 98	n/a
63	49	13 Mar 98	n/a
63	48	12 Mar 98	<p>EPA POSITION STATEMENT ON ENVIRONMENTAL MANAGEMENT SYSTEMS AND ISO 14001 AND A REQUEST FOR COMMENTS ON THE NATURE OF THE DATA TO BE COLLECTED FROM ENVIRONMENTAL MANAGEMENT SYSTEM/ISO 14001 PILOTS; EPA; ACTION: Position Statement; request for comment on information gathering. This document communicates the EPA's position regarding Environmental Management Systems (EMSs), including those based on the International Organization for Standardization (ISO) 14001 standard. This document also describes the evaluative stage EPA is entering concerning EMSs. Further, it solicits comments on proposed categories of information to be collected from a variety of sources that will provide data for a public policy evaluation of EMSs.</p>
63	47	11 Mar 98	n/a
63	46	10 Mar 98	n/a
63	45	9 Mar 98	n/a
63	44	6 Mar 98	n/a
63	43	5 Mar 98	<p>PROTECTION OF STRATOSPHERIC OZONE: MANUFACTURE OF HALON BLENDS, INTENTIONAL RELEASE OF HALON, TECHNICIAN TRAINING AND DISPOSAL OF HALON AND HALON-CONTAINING EQUIPMENT; EPA; ACTION: Final Rule; EFFECTIVE DATE: April 6, 1998. This final rule bans the manufacture of halon blends; prohibits the intentional release of halons during training of technicians and during testing, repair, and disposal of halon-containing equipment; requires appropriate training of technicians regarding emissions reduction; and requires proper disposal of halon and of halon-containing</p>

equipment. Release of halons to the environment contributes significantly to the depletion of the stratospheric ozone layer which, in turn, can lead to increased incidences of skin cancer and other ill effects.

63	42	4 Mar 98	n/a
63	41	3 Mar 98	n/a
63	40	2 Mar 98	n/a
63	39	27 Feb 98	n/a
63	38	26 Feb 98	n/a
63	37	25 Feb 98	n/a
63	36	24 Feb 98	n/a
63	35	23 Feb 98	n/a
63	34	20 Feb 98	n/a
63	33	19 Feb 98	n/a
63	32	18 Feb 98	FREEDOM OF INFORMATION ACT; FEDERAL COMMUNICATION COMMISSION; ACTION: Final Rule; EFFECTIVE DATE: March 20, 1998. The Federal Communications Commission is modifying a section of the Commission's Rules that implements the Freedom of Information Act (FOIA) fee schedule. This modification pertains to the charge for recovery of the full, allowable direct costs of searching for and reviewing records requested under the FOIA and subpart 0.460(e) or subpart 0.461 of the Commission's rules, unless such fees are restricted or waived in accordance with subpart 0.470. The fees are being revised to correspond to modifications in the rate of pay approved by Congress.
63	31	17 Feb 98	n/a
63	30	13 Feb 98	n/a
63	29	12 Feb 98	n/a
63	28	11 Feb 98	n/a
63	27	10 Feb 98	n/a
63	26	9 Feb 98	n/a
63	25	6 Feb 98	EFFLUENT LIMITATIONS GUIDELINES, PRETREATMENT STANDARDS, AND NEW SOURCE PERFORMANCE STANDARDS FOR THE

LANDFILLS POINT SOURCE CATEGORY; EPA; ACTION: Proposed Rule; EFFECTIVE DATE: Comments must be received by May 7, 1998. This proposal is to develop Clean Water Act (CWA) national effluent limitations guidelines and pretreatment standards for wastewater discharges from stand-alone landfills associated with other industrial or commercial activities. This would establish technology-based effluent limitations for wastewater discharges to navigable waters associated with operation of new and existing hazardous and non-hazardous landfill facilities. This would establish pretreatment standards for the introduction of pollutants into Publicly Owned Treatment Works (POTW) associated with the operation of new and existing hazardous landfills. Sources of landfill wastewater at these facilities include, but are not limited to, landfill leachate and gas collection condensate.

EFFLUENT LIMITATIONS GUIDELINES, PRETREATMENT STANDARDS, AND NEW SOURCE PERFORMANCE STANDARDS FOR THE INDUSTRIAL WASTE COMBUSTER SUBCATEGORY OF THE WASTE COMBUSTORS POINT SOURCE CATEGORY; EPA; ACTION: Proposed Rule; EFFECTIVE DATE: Comments must be received by May 7, 1998. The proposal is to develop CWA national effluent limitations guidelines and standards for wastewater discharges from commercially-operating hazardous waste combustor facilities regulated as "incinerators" or "boilers and industrial furnaces" under RCRA as well as commercially-operating non-hazardous industrial waste combustor facilities. This would not apply to sewage sludge incinerators, medical waste incinerators, municipal waste combustors or other solid waste combustion units. Sources of wastewater that would be regulated under the proposal include flue gas quench, slag quench, and air pollution control wastewater. This would limit the discharge of pollutants into navigable waters of the US and the introduction of pollutants into publicly-owned treatment works (POTWs) by existing and new stand-alone industrial waste combustors that incinerate waste received from off-site.

63	24	5 Feb 98	n/a
63	23	4 Feb 98	n/a
63	22	3 Feb 98	n/a
63	21	2 Feb 98	

TECHNICAL ASSISTANCE FOR PUBLIC PARTICIPATION (TAPP) IN DEFENSE ENVIRONMENTAL RESTORATION ACTIVITIES; DOD; ACTION: Final Rule; EFFECTIVE DATE: February 2, 1998. Pursuant to the National Defense Authorization Act (NDAA) of 1996, the DoD is finalizing a

rule to provide technical assistance to local community members of Restoration Advisory Boards (RABs) and Technical Review Committee (TRCs). RABs and TRCs are established to review and comment on DoD environmental restoration activities at military installations and formerly used defense sites with the US and its territories.

63	20	30 Jan 98	n/a
63	19	29 Jan 98	n/a
63	18	28 Jan 98	n/a
63	17	27 Jan 98	n/a
63	16	26 Jan 98	n/a
63	15	23 Jan 98	n/a
63	14	22 Jan 98	n/a
63	13	21 Jan 98	n/a
63	12	20 Jan 98	n/a
63	11	16 Jan 98	n/a
63	10	15 Jan 98	n/a
63	9	14 Jan 98	n/a
63	8	13 Jan 98	n/a
63	7	12 Jan 98	n/a

63	6	9 Jan 98	<p>NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM -- PROPOSED REGULATIONS FOR REVISION OF THE WATER POLLUTION CONTROL PROGRAM ADDRESSING STORM WATER DISCHARGES; EPA; ACTION: Proposed Rule; EFFECTIVE DATE: Public comment until April 9, 1998. The National Pollutant Discharge Elimination System (NPDES) existing storm water program (Phase I) is resulting in significant improvement of surface water quality in the US by reducing polluted runoff from a large number of priority sources, including major industrial facilities, large and medium city storm sewers as well as construction sites that disturb 5 or more acres. This proposal would expand this exiting national program to smaller municipalities and construction sites that disturb 1 to 5 acres. This rule would establish a cost effective, flexible approach for reducing negative environmental impact by storm water discharges from these currently unregulated sources.</p>
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63	5	8 Jan 98	n/a
63	4	7 Jan 98	n/a
63	3	6 Jan 97	n/a

63	2	5 Jan 98	n/a
63	1	2 Jan 98	n/a